HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO.20832 OF 2006

Between:

L.Ravindra and others
. . .Petitioners

AND

The Municipal Commissioner,
Dharmavaram Municipality,
Dharmavaram, Anantapur and others
. . .Respondents

Counsel for the Petitioners : Shri P.Sai Prasad

Counsel for the Respondent No.1 : Shri S.I.Newton

Counsel for the Respondent No.2 : Government Pleader for Medical and Health

Counsel for the Respondent No.3 : Government Pleader for Revenue

Dated: 18th October, 2006

: ORDER :

PER G.S.SINGHVI, CJ

In this petition, the petitioners have prayed for quashing notice-cum-order dated 15.09.2006 issued by Commissioner, Dharmavaram Municipality for closure of their drinking water unit on the ground that they do not have BSI certificate.

We have heard learned counsel for the petitioners and perused the record.

Admittedly, the petitioners do not have B.S.I. certificate in terms of which they can manufacture drinking water. Therefore, it is not possible to entertain their prayer for quashing the impugned notice-cum-order. In our considered view, any order of the Court which may facilitate the manufacture of drinking water by the petitioners despite the fact that they do not have BSI certificate would result in violation of the Indian Standards Act and municipal laws. Therefore, there is no justification to entertain the prayer made in the petition.

At this stage, learned counsel for the petitioners made an oral request that his clients may be permitted to dispose of the machinery meant for manufacturing packaged drinking water.

In our opinion, the request made by the learned counsel is reasonable and merits accepts acceptance. Therefore, while dismissing the writ petition, we direct that within seven days of submission of application by the petitioners, Municipal Commissioner, Dharmavaram, Dharmavaram Municipality shall release the seized machinery and allow the petitioners to dispose of the same.

As a sequel to dismissal of the writ petition, W.P.M.P.No.26374 of 2006 filed by the petitioners for grant of interim relief is also

dismissed.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

Date: 18.10.2006

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